



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

**HB4424**

Introduced 1/6/2006, by Rep. Donald L. Moffitt

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Controlled Burning Act. Prohibits any agency or department of State government from initiating a controlled burn in a location where the fire department with jurisdiction over that location has issued a burning ban. Requires all agencies or departments of the State to notify the fire department with jurisdiction over the controlled burn site location 48 hours prior to initiating a controlled burn. Authorizes the Office of the State Fire Marshal to promulgate rules for the implementation and operation of this Act. Defines "burning ban", "controlled burn", and "fire department". Effective immediately.

LRB094 15629 RSP 50835 b

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Controlled Burning Act.

6 Section 5. Definitions. In this Act:

7 "Burning ban" means a complete ban on all open air burning  
8 that is declared by a fire department as a result of prolonged  
9 or unusual conditions conducive to the easy starting and spread  
10 of fire.

11 "Controlled burn" means the controlled application of fire  
12 within a confined area to promote planned objectives in land  
13 management and public safety. This includes fires set to  
14 promote ecological, agricultural, and natural resource  
15 management goals and fires to reduce the danger of wildfires  
16 and promote fire safety.

17 "Fire department" includes any municipal fire department  
18 authorized under the Illinois Municipal Code, 65 ILCS 5/11-6,  
19 any fire department of a fire district authorized under the  
20 Fire Protection District Act, 70 ILCS 705/, or any other  
21 division of local government in charge of fire protection or  
22 fire fighting services.

23 Section 10. Controlled burns. No agency or department of  
24 State government may initiate a controlled burn in a location  
25 where the fire department with jurisdiction over that location  
26 has issued a burning ban.

27 Section 15. Notification. All agencies or departments of  
28 the State must notify the fire department with jurisdiction  
29 over the controlled burn site location 48 hours prior to  
30 initiating a controlled burn.

1           Section 20. Rules. The Office of the State Fire Marshal  
2 shall promulgate rules for the implementation and operation of  
3 this Act.

4           Section 99. Effective date. This Act takes effect upon  
5 becoming law.